

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KENNETH J. TAGGART	:	CIVIL ACTION
	:	
v.	:	
	:	
FRANCONIA TOWNSHIP, <i>et al.</i>	:	NO. 10-2725

ORDER

AND NOW, this 12<sup>th</sup> day of April 2011, upon consideration of the pending motions and the responses thereto, IT IS ORDERED:

1. That the Motion of The Estate of Margaret Van Dyke and the Margaret Van Dyke Trust to Dismiss (Document No. 26) is GRANTED. The complaint against these defendants is DISMISSED WITHOUT PREJUDICE for insufficient service of process.

2. That the plaintiff's unopposed "Motion to Extend Time to Effectuate Service for Margaret Van Dyke and the Margaret Van Dyke Trust" (Document No. 31) is GRANTED. The plaintiff has 30 days to effect proper service of process upon these defendants.

3. That the defendants' Motions to Dismiss (Document Nos. 12 and 14) are GRANTED IN PART AND DENIED IN PART. The claims for fraud, misrepresentation, and violation of the Pennsylvania Unfair Trade Practices and Consumer Protection Law, and the demand for punitive damages are DISMISSED WITHOUT PREJUDICE. The plaintiff may file an amended complaint within 20 days. The motions are otherwise DENIED.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.